

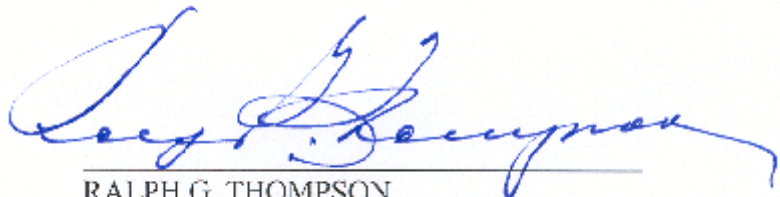
**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

KEITH RUSSELL JUDD,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-00-1919-T
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	

ORDER

On March 9, 2005, the Court entered an Order striking Petitioner's March 7, 2005, filing. More than a month¹ later, Petitioner, a federal prisoner, filed a Notice of Appeal and request for a certificate of appealability. As Petitioner is not seeking to appeal "the final order in a proceeding under 28 U.S.C.A. §2255," a certificate of appealability is not required. 28 U.S.C.A. §2254(c)(1)(b); Bledsoe v. United States, 384 F.3d 1232, 1235 (10th Cir. 2004); Montez v. McKinna, 208 F.3d 862, 867 (10th Cir. 2000) ("a *federal* prisoner proceeding under §2241 does not need a certificate of appealability to appeal a district court's denial of the petition"). Accordingly, Petitioner's request for a certificate of appealability is DENIED.

IT IS SO ORDERED this 28th
day of April, 2005.



RALPH G. THOMPSON
UNITED STATES DISTRICT JUDGE

¹ Petitioner's notice of appeal was placed in the mail thirty-eight days (and filed forty-four days) after the entry of the Court's March 9, 2005, Order.